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NOV 01 2006

Serial No. 10/773,692

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks, which are responsive to the non-final Office Action mailed on August 4, 2006. The Applicant kindly thanks the Examiner for acknowledging the allowability of Claims 31-38. The Applicant also kindly thanks the Examiner for conducting a telephone interview with Applicant's counsel on October 30, 2006. In this interview, the Examiner recommend that the word "operative" be exchanged with "configured" to potentially overcome the Examiner's objections to the usage of the word "operative." In view of this telephone interview, the Applicant has amended Claims 20, 23, 25-27, 31, and 33 and respectfully submits that Claims 20-38 are now in condition for allowance. No claims have been cancelled through this response, and Claims 20 and 31 remain as independent claims.

A. Traversal of the Rejection of Claims 20-30 Under 35 U.S.C. § 102(e)

The Examiner has objected to the Applicant's usage of the words "operative to." Although the Applicant respectfully disagrees with the Examiner's rejection of the Applicant's usage of the words "operative to," to expedite allowance of the present application, the Applicant has replaced all instances of the word "operative" in the recitations of Claims 20 and 31 with the word "configured." Accordingly, in view of these amendments to Claims 20 and 31, as well as 25-27, the Applicant submits that the Examiner's rejections as to Claims 20-31 under 35 U.S.C. § 102(e) are now rendered moot.

Serial No. 10/773,692

B. Traversal of the Rejection of Claim 23 under 35 U.S.C. § 112, Para. 2

The Examiner has rejected Claim 23 under 35 U.S.C. § 112, paragraph 2. In response to this rejection, the Applicant has amended Claim 23 to remove any ambiguity from the claim language. As now plainly written, the geographic area of Claim 23 is a predetermined size that is based on "the portion of the capacity of the wireless communications system that is allocated for position data." Hence, the portion of the capacity that determines the geographic area is now tied directly to that capacity that is "allocated for position data." Moreover, the specification fully supports this claim recitation:

Capacity-constrained wireless systems include low capacity systems as well as systems that have a higher capacity but only allocate a portion of their capacity for position data. Low capacity systems include those wireless communication systems that convey content in one or more small number of asynchronous packets, wherein the location portion of the content is further constrained, even if only intermittently, to an even smaller capacity, such as 41 bits or less, either due to technical limitations or reasons of operational efficiency or economy.

Accordingly, the Applicant respectfully submits that the amendment to Claim 23 now renders the Examiner's rejection of this claim moot.

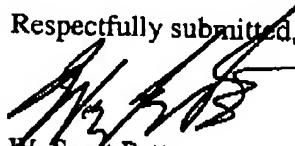
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CONCLUSION

The foregoing amendments and remarks are submitted as a full and complete response to the non-final Office Action mailed August 4, 2006. Applicant thanks Examiner Tuan for his consideration of the submitted amendments and remarks. Applicant respectfully submits that the present application is in condition for allowance and courteously solicits such action from the Examiner. If there are any remaining issues that can be resolved with an Examiner's Amendment or a telephone conference, the undersigned attorney may be reached at 404.572.2888.

Respectfully submitted,

W. Scott Petty
Reg. No. 35,645

King & Spalding LLP
34th Floor
1180 Peachtree Street, NE
Atlanta, Georgia 30309
404.572.4600

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